

# Motor Vehicle Law

OF THE

State of Arizona



Effective October 1st, 1913

ISSUED BY  
SIDNEY P. OSBORN, SECRETARY OF STATE  
PHOENIX, ARIZONA

1913

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# Motor Vehicle Laws

## Revised Statutes, 1913

### TITLE L.

#### CHAPTER VIII.

##### USE OF PUBLIC HIGHWAYS BY MOTOR VEHICLES.

(Chapter 68, Laws 1913, Third Special Session.)

5132. The words and phrases used in this chapter shall, for the purposes of this chapter, unless the same be contrary to, or inconsistent with, the context, be construed as follows:

(1) "Motor vehicle" shall include all vehicles propelled by any power other than muscular power, provided that nothing herein contained shall, except the provisions of subdivisions 3, 4, and 5 of Section 3 (Paragraph 5134) and subdivision 1 of Section 4 (Paragraph 5134) of this chapter, apply to traction engines or road rollers;

(2) "Public highways" shall include any highway, county road, state road, public street, avenue, alley, park, parkway, driveway, or public place in any county, or incorporated city or town;

(3) "Closely built up" shall mean—

(a) The territory of any county, or incorporated city or town, contiguous to a public highway, which is at that point built up with structures devoted to business;

(b) The territory of any county, or incorporated city or town contiguous to a public highway not devoted to business, where, for not less than one-quarter of a mile, the dwelling-houses on such highway average less than one hundred feet apart; provided, that the local authorities having charge of such highway shall have placed in a conspicuous place on one side thereof, at both ends of such closely built up sections, signs of sufficient size to be easily readable by a person using the highway, bearing the words "Slow Down to.....Miles," inserting in the blank space the number of miles to which the speed is to be reduced, and also an arrow pointing in the direction where the speed is to be reduced;

(4) "Local authorities" shall include all boards of supervisors, trustees or councils, committees and other public officials of counties, or incorporated cities and counties, cities or towns;

(5) "Chauffeur" shall mean any person operating a motor vehicle as mechanic or employee or for hire.

5133. (1) Every owner of a motor vehicle shall, for every such motor vehicle owned by him, file annually in the office of the secretary of state, on a blank to be prepared and furnished by such secretary of state for that purpose, a statement of his name and address, with a brief description of the vehicle to be registered, including the name of the maker, factory number, style of vehicle and motor power. An

annual license shall be assessed of five dollars for motor vehicles of twenty-five horse power and under, A. L. A. M. rating; ten dollars for motor vehicles of more than twenty-five and not more than forty horse power, A. L. A. M. rating; fifteen dollars for motor vehicles of more than forty horse power, A. L. A. M. rating and two dollars for motorcycles. The provisions hereof with respect to the payment of registration fees shall not apply to motor vehicles owned by this state, the United States, a county or city or any of the departments thereof. Such state, county and city motor vehicles shall display a distinctive number plate showing the ownership thereof, but in all other respects the provision of this chapter shall be applicable. The license hereunder granted when the same is applied for and granted on or after July first of each year, shall be at the rate of one-half the annual fee charged for such motor vehicle provided herein.

(2) The secretary of state shall thereupon file such statement in his office, register such motor vehicle in a book or index kept for such purpose, and assign it a distinctive number.

(3) The secretary of state shall forthwith on such registration, and without other fee, issue and deliver to the owner of such motor vehicle a seal of aluminum or other suitable metal, which shall be circular in form, approximately two inches in diameter, and have stamped thereon the words "Registered motor vehicle No. ...., State of Arizona," with the registration number inserted therein; which seal shall thereafter at all times be conspicuously displayed on the motor vehicle, to which such number has been assigned.

(4) Upon the sale or transfer of a motor vehicle registered in accordance with this section, the vendor thereof shall immediately give notice of such sale with the name and residence of the vendee to the secretary of state, and the vendee shall, within ten days after the date of such sale or transfer, notify the secretary of state upon a blank furnished promptly by him for that purpose, stating the name and business of the previous owner, if known, the number under which such motor vehicle is registered and the name and residence, including the county and business address, of the vendee. Upon filing such statement, duly verified, such vendee shall pay to the secretary of state a fee of two dollars for motor vehicles other than motorcycles, and a fee of one dollar for motorcycles, and upon receipt of such statement and fee the secretary of state shall file such statement in his office, and note upon the registration book or index in his office such change of ownership.

(5) Every motor vehicle shall also at all times have the number assigned to it displayed on the front and back of such vehicle in such manner as to be plainly visible, the numbers to be in Arabic numerals. Such number plates shall be of a distinctly different color each year, and there shall be at all times a marked contrast between the color of the number plate and that of the numerals and letters thereon, each letter shall not be less than three inches in height, and each stroke thereof shall be of a width of not less than half an inch. There shall

also be, as a part of such number, the abbreviated name of the state, in colors similar to the rest of the number plate, such letters to be no less than one inch in height. The secretary of state shall designate the colors of the plates for each year, and shall furnish these two number plates, without extra charge, to every person registering a motor vehicle. This subdivision shall apply to motorcycles in all respects except that they are required to have a number displayed in the rear only, and the letters and numerals thereon shall be of two inches in height, and each stroke thereof one-quarter of an inch in width.

(6) A manufacturer of, or dealer in, motor vehicles, shall register one vehicle of each style or type manufactured or dealt in by him, and be entitled to as many duplicate registration seals for each type or style so manufactured or dealt in as he may desire, on payment of an additional fee of fifty cents for each duplicate seal. If a registration seal and the corresponding number shall thereafter be affixed to and displayed on every vehicle of such type or style, as in this section provided, while such vehicle is being operated on the public highways, it shall be deemed a sufficient compliance with subdivisions 1, 3, 5 and 8, of this section, until such vehicle shall be sold or let for hire. Nothing in this subdivision shall be construed to apply to a motor vehicle employed for private use or for hire by a manufacturer of or dealer in automobiles.

(7) Every manufacturer of, or dealer in, motor vehicles shall upon the sale of a motor vehicle notify the sheriff of the county in which said motor vehicle is sold and is to be operated of such sale, and the said sheriff shall see that such purchaser procures from the secretary of state a motor vehicle license, as is required by the provisions of this chapter, within five days after such purchase.

(8) No motor vehicle shall be used or operated upon the public highways after this chapter takes effect, which shall display thereon a registration seal or number belonging to any other vehicle or a fictitious registration seal or number.

(9) No motor vehicle shall be used or operated on the public highways after this chapter takes effect, unless the owner shall have complied in all respects with this chapter, except that any person purchasing a motor vehicle from the manufacturer, dealer, or other person, after this chapter goes into effect, shall be allowed to operate such motor vehicle upon the public highways for a period of five days after the purchase and delivery thereof; provided, that, during such period, such motor vehicle shall bear the registration number and seal of the previous owner under which it was operated or might have been operated by him.

(10) The provisions of this section shall not apply to motor vehicles owned by non-residents of this state and only temporarily within this state, provided that the owners thereof have complied with the law requiring the registration of owners of motor vehicles in force in the state, territory, federal district or foreign country, of their residence, and the registration number, showing the initial of such state, territory,

federal district or foreign country shall be displayed on such vehicle substantially as in this section provided. Such non-residents shall immediately notify the sheriff of the county or counties in which they operate, showing that they have complied with the laws of the state, territory, federal district, or foreign country, whose license they display. All non-residents shall be required to pay the tax similar to that paid by the resident owners of motor vehicles after six months' residence in the state.

(11) It shall be the duty of the sheriff of every county in this state to keep a record of all motor vehicles registered in his county; to see that all owners of motor vehicles comply with the provisions of this chapter in all respects; and to rigidly enforce all its provisions. Any sheriff who neglects to comply with the provisions of this chapter shall be guilty of a misdemeanor.

5134. (1) No person shall operate a motor vehicle on a public highway at a rate of speed greater than is reasonable and proper, having regard to the traffic and use of the highway, or so as to endanger life or limb of any person, or the safety of any property, or in any event on any public highway where the territory contiguous thereto is closely built up, at a greater rate than one mile in six minutes, or elsewhere in any incorporated city or town, at a greater rate than one mile in four minutes, or elsewhere outside of any incorporated city or town, at a greater rate than one mile in two minutes; subject, however, to the other provisions in this chapter.

(2) Upon approaching a bridge, dam, sharp curve, or steep descent, and also in traversing such bridge, dam, curve, or descent a person operating a motor vehicle shall have it under control and operate it at a rate of speed not exceeding one mile in fifteen minutes, and upon approaching a crossing of intersecting highways, at a speed not greater than is reasonable and proper, having regard to the traffic then on such highway and the safety of the public.

(3) Upon approaching a person walking in the public highway or a horse or horses, or other live stock, being ridden, led or driven thereon, a person operating a motor vehicle shall give reasonable warning of its approach, and use every reasonable precaution to insure the safety of such person or animal, and, in the case of horses or other live stock, to prevent frightening the same.

(4) A person operating a motor vehicle shall, at the request or on signal by putting up the hand from a person riding, leading, or driving a restive horse or horses, or other live stock, bring such motor vehicle immediately to a stop; and if traveling in the opposite direction, remain stationary as long as may be reasonable to allow such horse or animal to pass, and, if traveling in the same direction, used reasonable caution in thereafter passing such horse or animal. In case such horse or animal appear badly frightened, or the person operating such motor vehicle is requested to do so, such person shall cause the motor of such vehicle to cease running so long as shall be reasonably necessary to prevent accident and insure safety to others.

(5) Any one operating a motor vehicle, while in an intoxicated condition, shall be guilty of a misdemeanor. Any person operating a motor vehicle who, knowing that injury has been caused to person or property, due to the carelessness or culpability of the operator, or to accident, leaves the place of said injury or accident without stopping and giving his name, residence, including the street and number, and operator's license number to the injured party, or to a police officer, or in case no police officer is in the vicinity then reporting the same to the nearest police station or peace officer, shall be guilty of a felony, punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than two years, or by both such fine and imprisonment, and if any person be convicted a second time of either of the foregoing offenses he shall be guilty of a felony, punishable by imprisonment for not more than five years.

(6) Local authorities may, notwithstanding the other provisions of this chapter, set aside, for a given time, a specified public highway for speed tests or races, to be conducted under proper restrictions for the safety of the public.

5135 (1) Whenever a person operating a motor vehicle shall meet on a public highway any other person riding or driving a horse or horses or other live stock, or any other vehicles, the person so operating such motor vehicle shall reasonably turn the same to the right of the center of such highway so as to pass without interference. Any such person so operating a motor vehicle shall, on overtaking any such horse, live stock or other vehicle, pass to the left side thereof and the rider or driver of such horse, live stock, or other vehicle shall, as soon as practicable, turn to the right so as to allow free passage on the left. Any such person so operating a motor vehicle shall at the intersection of public highways, keep to the right of the intersection of the centers of such highways, when turning to the right, and pass to the right of such intersection when turning to the left. Nothing in this sub-division shall, however, be construed as limiting the meaning or effect of the provisions of the preceding section of this chapter.

(2) Every motor vehicle while in use on a public highway shall be provided with good and efficient brakes, and also with suitable bell, horn, or other signal, and be so constructed as to exhibit, during the period from one hour after sunset to one hour before sunrise, two lamps showing white lights visible within a reasonable distance in the direction towards which such vehicle is proceeding, and also a red light visible in the reverse direction; provided, that motorcycles shall be required to exhibit but one white light during the period herein specified.

(3) Subject to the provisions of this chapter, local authorities shall have no power to pass, enforce, or maintain, any ordinance, rule, or regulation requiring of any owner or operator of a motor vehicle, any license or permit to use the public highways, or excluding or prohibiting any motor vehicle whose owner has complied with the provisions of this chapter from the free use of such highways except such driveway,

speedway, or road, as has been or may be expressly set apart by law for the exclusive use of horses and light carriages, or except as herein provided, in any way affecting the registration or numbering of motor vehicles, or prescribing a slower rate of speed, than is herein specified, at which such vehicles may be operated, or the use of the public highways, contrary or inconsistent with the provisions of this chapter, and all such ordinances, rules, or regulations, now in force, are hereby declared to be of no validity or effect; provided, however, that the local authorities of incorporated cities and towns may limit, by ordinance, rule, or regulation, hereafter adopted, the speed of motor vehicles on the public highways on condition that such ordinance, rule or regulation shall also fix the same speed limitation for all other vehicles, such speed limitation not to be in any case less than one mile in six minutes, and on further condition that such incorporated city or town shall also have placed conspicuously on the side of each main public highway where the boundary of such municipality crosses the same, and on every main highway where the rate of speed changes, signs of sufficient size to be easily readable by persons using the highway, bearing the words, "Slow down to ..... miles" (the rate being inserted), and, also, an arrow pointing in the direction where the speed is to be reduced or changed; and, also, on further condition that such ordinance, rule, or regulation, shall fix the penalties for violation thereof, similar to and no greater than those fixed by such local authorities for violation of speed limitations by any other vehicles than motor vehicles, which penalties shall, during the existence of the ordinance, rule, or regulation, supersede those specified in the sixth section of this chapter; and provided further, that nothing in this chapter contained shall be construed as limiting the power of local authorities to make, enforce and maintain further ordinances, rules or regulations affecting motor vehicles which are offered to the public for hire.

(4) Local authorities may, notwithstanding the provisions of this chapter, make, enforce and maintain such reasonable ordinances, rules or regulations concerning the speed at which motor vehicles may be operated in any public park or parkways, but in that event signs must be placed at each entrance of such park and along such parkway, conspicuously indicating the rate of speed permitted or required; and may exclude motor vehicles from any cemetery or grounds used for the burial of the dead.

(5) Nothing in this chapter shall be construed to curtail or abridge the right of any person to prosecute a civil suit for damages by reason of injuries to person or property resulting from the negligent use of the highways by a motor vehicle, or its owner, or his employee, or agent.

5136. (1) Every person hereafter desiring to operate a motor vehicle as a chauffeur shall file in the office of the secretary of state, on a blank to be supplied by such secretary, a statement which shall include his name and address and the trade name and motive power of the motor vehicle or vehicles he is able to operate; and shall pay a registration fee of five dollars

Sud-division (2) The secretary of state shall thereupon file such statement in his office, register such chauffeur in a book or index to be kept for that purpose, and assign him a number.

Sub-division (3) The secretary of state shall forthwith, upon such registration and without other fee, issue and deliver to such chauffeur a badge of aluminum, or other suitable metal, which shall be oval in form, and the greater diameter of which shall not be more than two inches; and such badge shall have stamped thereon the words, "Registered Chauffeur, No. ...., State of Arizona," with the registration number inserted therein; which badge shall thereafter be worn by such chauffeur pinned upon his clothing in a conspicuous place, at all times while he is operating a motor vehicle upon the public highways.

Sub-division (4) No chauffeur, having registered as herein provided, shall voluntarily permit any other person to wear his badge nor shall any person, while operating a motor vehicle, wear any badge belonging to another person, or a fictitious badge.

Sub-division (5) No person shall operate a motor vehicle as a chauffeur upon the public highways after thirty days after this title takes effect, unless such person shall have complied in all respects with the requirements of this section.

5137. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine not exceeding one hundred dollars or by imprisonment not exceeding thirty days; or by both such fine and imprisonment for the first offense; and punishable by a fine of not less than fifty dollars nor more than one hundred dollars or imprisonment not exceeding thirty days, or by both such fine and imprisonment for a second offense; and punishable by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars or imprisonment not exceeding thirty days, or by both such fine and imprisonment for a third or subsequent offense.

5138. The amount of the fees secured by the secretary of state, as in this chapter provided, shall be paid into the state treasury, to the credit of the state road tax fund.

5139. There is hereby appropriated out of any money in the state road tax fund, the sum of twenty-five hundred dollars annually for the purpose of carrying out the object of this chapter, to be used by the secretary of state in the purchase of the necessary stationery, books and postage; for the necessary incidental expenses; for the purchase of the necessary seals, number plates and badges. The state auditor is hereby directed to draw his warrant for any legal claim against said sum, and the state treasurer is hereby directed to pay the same.

5140. All licenses granted for motor vehicles from and after September 20, 1912, shall hold and not have to be renewed until January 1, 1914; and thereafter the annual period, specified in this chapter, shall be from January 1 to December 31 of each and every year. The amendments provided for in this chapter, pertaining to the license tax on motor vehicles, shall not take effect until the beginning of the next fiscal year, January 1, 1914.